

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

On the Commissioner's Own Motion for a Determination of the Adequacy of Warning Devices at Four Grade Crossings of the Sault Ste. Marie Bridge Co. Tracks in the City of Oconto, Oconto County

9148-RX-11

SUPPLEMENTAL ORDER

On April 29, 2004, the Office of the Commissioner of Railroads (OCR) issued an order that required the installation of new warning devices at four public crossings of the Sault Ste. Marie Bridge Co. (SSAM or railroad) tracks in the City of Oconto, Oconto County by December 31, 2006. Due to budgetary constraints the Commissioner has determined to extend the deadline for three of the crossings to December 31, 2007. The crossings are:

Roadway	Crossing No.	New Deadline
McDonald Street	181 361C / NWF 28.3	December 31, 2007
Chicago Street	181 369G / NWF 28.9	December 31, 2007
Van Dyke Street	181 371H / NWF 29.25	December 31, 2007

The deadline for the installation of new warning devices at the crossing of CTH 'Y' (Main Street) remains December 31, 2006 (crossing no. 181 370B / NWF 29.1).

THEREFORE, IT IS ORDERED,

1. That the **Sault Ste. Marie Bridge Co.** shall install and maintain 12" LED automatic flashing lights with gates, and constant warning time circuitry with appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with **McDonald Street** at-grade in the City of Oconto, Oconto County by **December 31, 2007** (Crossing No. 181 361C / NWF 28.3).

2. That the **Sault Ste. Marie Bridge Co.** shall install and maintain 12" LED automatic flashing lights with gates, and constant warning time circuitry with appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with **Chicago Street** at-grade in the City of Oconto, Oconto County by **December 31, 2007** (Crossing No. 181 369G / NWF 28.9).

3. That the **Sault Ste. Marie Bridge Co.** shall install and maintain 12" LED automatic flashing lights with gates, and constant warning time circuitry with appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with **Van Dyke Street** at-grade in the City of Oconto, Oconto County by **December 31, 2007** (Crossing No. 181 371H / NWF 29.25).

4. That the **Sault Ste. Marie Bridge Co.** shall submit to the Office of the Commissioner of Railroads signal and circuit plans with the cost estimate of its proposed installation and upon completion of the signal project, a detailed statement of the actual cost to the Office and to the Wisconsin Department of Transportation.

5. That the signal installation work herein ordered shall not begin until the district office of the Wisconsin Department of Transportation informs the railroad that they may start such work and such start notice will not be issued until appropriate federal aid or other funding arrangements have been assured. The cost of the new project initiated before the start notice will not be reimbursed with public funds and shall be the responsibility of the railroad.

6. That the **Sault Ste. Marie Bridge Co.** shall bear no part of the cost of the crossing signals installation, except for any cost assessed to the railroad pursuant to §195.60, Stats., for the investigation of this matter by the Office. The railroad shall not pass on those assessment costs either directly or indirectly.

7. That jurisdiction is retained.

Dated at Madison, Wisconsin, (November 28, 2005).

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads

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